

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

_____	X	
In re PAYMENT CARD INTERCHANGE	:	No. 05-md-1720 (MKB)(JO)
FEE AND MERCHANT DISCOUNT	:	
ANTITRUST LITIGATION	:	JOINT STATUS CONFERENCE
_____	:	STATEMENT
	:	
This Document Relates To:	:	CONFERENCE DATE: JULY 17, 2018
	:	
ALL ACTIONS.	:	
_____	:	
	X	

The parties respectfully submit this Joint Case Status Report and Proposed Agenda for the Case Management Conference currently scheduled for July 17, 2018. The parties agree that there is nothing ripe for discussion with the Court on July 17, 2018, and respectfully request that the Court cancel the conference.

STATUS OF DISCOVERY

The parties continue to work cooperatively on completing fact discovery and scheduling the remaining party and non-party depositions. Depositions of the defendants, Target Plaintiffs, The Home Depot, the original 7-Eleven Plaintiffs, and representatives for the putative b(2) class are complete.

The parties nevertheless anticipate needing additional time to complete fact discovery of non-parties and certain parties. To accommodate this additional discovery, the parties have been working on a stipulation and proposed order to extend the deadline for fact discovery of non-parties and certain plaintiff groups (including the “new” 7-Eleven plaintiffs). As part of those negotiations, plaintiffs have also requested a five-week extension to the August 31, 2018, deadline to serve their expert reports and any class certification motions. Defendants do not object to that request, but request that other deadlines in the case schedule—including those to

serve their opposition expert reports—be extended by the same amount of time. Plaintiffs agree to this request.

The parties also continue to negotiate stipulations and proposed orders setting forth the number of contention interrogatories and requests for admission, and a procedure for addressing disputes over authenticity and admissibility of documents submitted as exhibits on summary judgment.

The parties expect to submit these stipulations and proposed orders for consideration by the Court in the near future.

Dated: July 12, 2018

Respectfully submitted,

HOLWELL SHUSTER & GOLDBERG LLP

By: /s/ Demian A. Ordway
Michael S. Shuster
Demian A. Ordway
Blair E. Kaminsky
425 Lexington Avenue, 14th Floor
New York, NY 10017
(646) 837-5151
mshuster@hsgllp.com
dordway@hsgllp.com
bkaminsky@hsgllp.com

ARNOLD & PORTER KAYE SCHOLER LLP

Robert C. Mason
250 West 55th Street
New York, NY 10019
(212) 836-8000
robert.mason@apks.com

Robert J. Vizas
Three Embarcadero Center, 10th Floor
San Francisco, CA 94111
(415) 471-3100
robert.vizas@apks.com

Mark R. Merley
Matthew A. Eisenstein
601 Massachusetts Avenue, NW
Washington, DC 20001
(202) 942-5000
mark.merley@apks.com
matthew.eisenstein@apks.com

*Attorneys for Visa U.S.A. Inc., Visa Inc., and
Visa International Service Association*